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EXAMINER

SERRAO, RANODHI N

ART UNIT PAPER NUMBER

2141

DATE MAILED: 02/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/055,547

Applicant(s)

TRAVERSAT ET AL.

Examiner

Ranodhi Serrao

Art Unit

2141

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 03 January 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: 4-7, 21, 22, 30, 46, 57, 73, 88 and 93.
Claim(s) rejected: 1-3, 8-20, 23-29, 31-45, 47-56, 58-72, 74-87, 89-92 and 94-99.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See attached Response to Arguments.
12. ☒ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). 11/03/2005, 1/17/2006
13. ☐ Other: See also interview summary attached.


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER

Response to Arguments

Allowable Subject Matter

1. Claims 4-7, 21-22, 30, 46, 57, 73, 88, and 93 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
2. However the applicant's arguments concerning claims 1-3, 8-20, 23-29, 31-45, 47-56, 58-72, 74-87, 89-92, and 94-99 have been fully considered but they are not persuasive.
3. The applicant reasserted that the Harvey reference fails to teach the limitations of claim 1. The examiner recognizes that Harvey mentions "peer-to-peer" in col. 24, lines 17-20, wherein Harvey teaches the claimed limitation of "a peer-to-peer environment" of claim 1. In this environment there are communities which serve the function of peer groups, see col. 16, line 60-col. 17, line 9. These communities have group members and provide services.
4. The applicant furthermore argued that Harvey fails to teach "...wherein each peer group member comprises a network node configured to communicate with other members of its peer group over one or more networks..." The examiner points to col. 21, line 55-col. 22, line 34, wherein users function as peer group members and they are able to communicate with other and other members of its group or community.
5. The applicant also argued that "...one of the plurality of peer groups are configured to share a network service or content with other members of that peer group

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only..." The examiner points to col. 16, lines 40-50 wherein when a user logs in, he/she is able to gain access to the services of that community only. The user cannot gain access to other communities without logging in them as well. The applicant argued that "the community in Harvey is not a plurality of members of one of the plurality of peer groups configured to share a network service or content with other members of the peer group only..." Harvey also states that clients have access to communities and can create communities themselves as well. Therefore those of ordinary skill in the art will recognize that peer groups and the teachings of Harvey are the same. In conclusion, Harvey teaches the invention as claimed, and the examiner maintains the prior rejections of claims 1-3, 8-20, 23-29, 31-45, 47-56, 58-72, 74-87, 89-92, and 94-99. See rejections below.

Claim Rejections - 35 USC § 102

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1-11, 19-33, 38-68, 70-75, 76, 77, 80-99, are rejected under 35 U.S.C. 102(e) as being anticipated by Harvey et al. (6,487,583).

8. As per claims 1 and 70, Harvey et al. teaches a peer-to-peer network environment (column 24, lines 14-49), comprising: a plurality of peer groups, wherein each peer group comprises a plurality of peer group members, and wherein each peer group member comprises a network node configured to communicate with other members of its peer group over one or more networks; wherein each peer group defines

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a common set of services available to members of that peer group (column 4, lines 20-43); and wherein a plurality of members of one of said plurality of peer groups are configured to share a network service or content with other members of said peer group only, so that said peer group defines a limited domain of availability for said network service or said content (column 11, line 62-column 12, line 5).

9. As per claims 2, 28, 44, 71, and 87, Harvey et al. teaches a peer-to-peer network environment, wherein said common set of services comprises a membership service, wherein said membership service implements a membership protocol for joining a peer group such that any peer in the peer-to-peer network environment may apply for membership in the peer group in accordance with the membership protocol (column 11, lines 28-50).

10. As per claims 3, 29, 45, 56, 63, 72, and 92 Harvey et al. teaches a peer-to-peer network environment, wherein one or more members of said peer group are configured to provide said membership service for said peer group, wherein said membership service for said peer group implements a membership policy for said peer group restricting which peers in the peer-to-peer network environment are allowed to join said peer group (column 11, lines 51-61).

11. As per claims 4, 21, 30, 46, 57, 64, 73, 81, 88, and 93, Harvey et al. teaches a peer-to-peer network environment, wherein said membership service for said peer group is configured to: receive or send an apply message from a potential new peer group member, wherein said apply message is formatted as defined by said membership protocol (column 12, lines 6-37); respond to or receive said apply message

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with a first acknowledge message formatted as defined by said membership protocol, wherein if the potential new peer group member is qualified to apply in accordance with the membership policy for said peer group, the first acknowledge message comprises an application credential (column 15, lines 9-23); receive or send a join message including the application credential from the potential new peer group member, wherein said join message is formatted as defined by said membership protocol (column 15, lines 24-34); and receive or respond to said join message with a second acknowledge message formatted as defined by said membership protocol, wherein if the potential new peer group member is qualified to join in accordance with the membership policy for said peer group, the second acknowledge message comprises a membership credential and a peer group advertisement for said peer group describing the common set of services available to members of said peer group (column 16, lines 15-39).

12. As per claims 5 and 22, Harvey et al. teaches a peer-to-peer network environment, wherein said membership credential identifies a peer as a member of said peer group (column 16, lines 15-39).

13. As per claims 6 and 74, Harvey et al. teaches a peer-to-peer network environment, wherein a plurality of members of said peer group are configured to provide an advertisement for applying to said peer group, wherein said advertisement for applying to said peer group comprises a description of said peer group, requirements for joining said peer group, and an endpoint within the peer-to-peer network environment indicating where to send said apply message (column 13, line 58-column 14, line 6: wherein an invitation serves the purpose of an advertisement).

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14. As per claims 7, 23, 25, and 51, Harvey et al. teaches a peer-to-peer network environment, wherein said advertisement for applying to said peer group is discoverable within the peer-to-peer network environment in accordance with a discovery protocol (column 17, lines 43-57).

15. As per claims 8 and 75, Harvey et al. teaches a peer-to-peer network environment, wherein said peer group defines an implicit scope for all peer group messages originating within said peer group, so that a peer group message sent by one of the members of said peer group is sent to the members of said peer group but not outside said peer group (column 17, line 64-column 18, line 2).

16. As per claim 9, Harvey et al. teaches a peer-to-peer network environment, wherein one or more peers within said peer group are configured to receive a peer group message from other members of said peer group, wherein said peer group message comprises a query message for content within said peer group (column 21, line 55-column 22, line 25).

17. As per claim 10, Harvey et al. teaches a peer-to-peer network environment, wherein said query message is formatted in accordance with a resolver protocol implemented as one of said common set of services for said peer group, wherein said resolver protocol defines query and response message formats (column 19, lines 26-39).

18. As per claims 11 and 77, Harvey et al. teaches a peer-to-peer network environment, wherein said common set of services for said peer group include a peer monitoring service configured to implement a peer information protocol, wherein said

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peer information protocol defines a message format for requesting and responding to requests regarding peer activity so that said peer groups defines a monitorable domain within the peer-to-peer network environment (column 11, lines 51-61).

19. As per claims 19, 38, 49, 60, and 67, Harvey et al. teaches a peer-to-peer network environment, wherein said common set of services available to members of said peer group implement protocols for joining and leaving said peer group and for sharing said network service or content within said peer group, wherein said protocols are platform independent as to programming language implementations and network transport for said common set of services (column 9, lines 10-32 and column 6, line 47-column 7, line 6).

20. As per claims 20, 27, 80, 90, 96, 97, and 99, Harvey et al. teaches a peer node, comprising: a processor (column 5, line 54-column 6, line 9); a network interface operable to couple the peer node to a network (column 4, lines 21-43); a memory operable to store program instructions, wherein the program instructions are executable by the processor to (column 5, line 54-column 6, line 9): join a peer group in accordance with a membership protocol (column 11, lines 28-50); upon joining said peer group, instantiate one or more of a common set of services defined for said peer group (column 16, lines 15-39); and share a network service or content with other members of said peer group only, so that said peer group defines a limited domain of availability for said network service or said content (column 11, line 62-column 12, line 5).

21. As per claims 24, 26, 47, 58, 59, 65, 66, 82, 83, 89, 94, and 95, Harvey et al. teaches a peer node wherein, in said discovering, the program instructions are further

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executable to: send or receive a discovery query message including one or more criteria, wherein the discovery query message is formatted in accordance with the discovery protocol (column 17, lines 43-57); and receive or send a message in response to the discovery query message including one or more advertisements fitting the one or more criteria, wherein each of said one or more advertisements includes a description a corresponding peer group, requirements for joining the corresponding peer group, and an endpoint advertisement indicating where to send a message to apply for membership in the corresponding peer group, wherein the response message is formatted in accordance with the discovery protocol (column 13, line 58-column 14, line 6: wherein an invitation serves the purpose of an advertisement; and column 14, lines 17-24).

22. As per claim 31, Harvey et al. teaches a peer node, wherein the program instructions are further executable to, upon joining said peer group, provide a peer group advertisement for said peer group, wherein said peer group advertisement comprises: a description of said peer group (column 4, lines 44-61); membership requirements for said peer group (column 11, lines 28-50); and one or more pipe endpoint advertisements for receiving membership protocol messages from potential peer group members (column 3, lines 28-46: wherein an invitation serves the purpose of an advertisement).

23. As per claims 32, 33, 84, and 85, Harvey et al. teaches a peer node, wherein the program instructions are further executable to: send or receive a query message requesting content within said peer group, wherein said query message is formatted in

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accordance with a resolver protocol (column 17, lines 10-25); and receive or send a response message to said query message from within said peer group, wherein said response message includes the requested content, wherein said response message is formatted in accordance with the resolver protocol (column 21, line 55-column 22, line 25).

24. As per claims 39, 86, 91, and 98, Harvey et al. teaches a peer node, comprising: a processor (column 5, line 54-column 6, line 9); a network interface operable to couple the peer node to a network (column 4, lines 21-43); a memory operable to store program instructions, wherein the program instructions are executable by the processor to (column 21, line 55-column 22, line 25): create an advertisement for a peer group in accordance with a protocol, wherein said advertisement for the peer group comprises (column 13, lines 5-26: wherein an invitation serves the purpose of an advertisement): an identifier for the peer group (column 7, line 58-column 8, line 11); a description of a common set of services to be instantiated within the peer group by members of the peer group (column 4, lines 20-43); and a membership service advertisement indicating how others peers may request to join the peer group; and publish at least a portion of said advertisement for the peer group including said identifier and said membership service advertisement (column 11, lines 28-50).

25. As per claim 40, Harvey et al. teaches a peer node, wherein said advertisement for the peer group further comprises a name associated with the peer group (column 4, lines 44-61).

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26. As per claims 41 and 53, Harvey et al. teaches a peer node, wherein said name associated with the peer group is obtained from a centralized naming service coupled to the network, so that said name associated with the peer group is unique within the network (column 7, line 58-column 8, line 11 and column 8, lines 21-31).

27. As per claims 42 and 54, Harvey et al. teaches a peer node, wherein said advertisement for the peer group further comprises keywords for use in indexing and discovering the peer group (column 7, line 58-column 8, line 11).

28. As per claims 43 and 55, Harvey et al. teaches a peer node, wherein said advertisement for the peer group further comprises a description of an initial service to be instantiated by other peer nodes when joining the peer group (column 16, lines 4-49).

29. As per claim 48, Harvey et al. teaches a peer node, wherein said common set of services are shared with other members of said peer group only, so that said peer group defines a limited domain of availability for said services (column 11, line 62-column 12, line 5).

30. As per claims 50 and 61, Harvey et al. teaches a peer computing system, comprising: a plurality of peer nodes (column 24, lines 14-49); a subset of said plurality of peer nodes configured to participate in a peer discovery protocol to discover other peer nodes and discover one or more peer groups, wherein said discovering one or more peer groups comprises discovering one or more peer group advertisements for the peer groups (column 16, lines 50-59); a subset of said plurality of peer nodes configured to participate in a peer membership protocol for joining said discovered peer

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groups (column 16, lines 50-59); and wherein each of the one or more peer groups comprises a common set of services shared by member peer nodes of the particular peer group only, so that the particular peer group defines a limited domain of availability for said services (column 11, line 62-column 12, line 5).

31. As per claims 52 and 62, Harvey et al. teaches a peer computing system, wherein each peer group advertisement comprises: an identifier for the particular peer group (column 7, line 58-column 8, line 11); a description of a common set of services to be instantiated within the particular peer group by members of the particular peer group (column 4, lines 20-43); a membership service advertisement indicating how others peers may request to join the particular peer group (column 13, lines 5-26: wherein an invitation serves the purpose of an advertisement); and a name associated with the particular peer group (column 4, lines 44-61).

32. As per claim 68, Harvey et al. teaches a peer computing system, further comprising means for each of the subset of said plurality of peer nodes to: receive a query message requesting content from within a particular peer group of which the particular peer node is a member peer; and send a response message to said query message within the particular peer group, wherein said response message includes the requested content if the particular peer node has access to the requested content (column 19, lines 26-39).

33. As per claim 76, Harvey et al. teaches a method, further comprising: a first member peer of a particular peer group receiving a peer group message from a second member peer of the particular peer group, wherein the peer group message comprises

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a query message for content within the particular peer group; and the first member peer providing the content requested in the query message to the second member peer (column 19, lines 26-39).

Claim Rejections - 35 USC § 103

34. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

35. Claims 12-15, 34, 35, 36, 69, 78, 79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harvey et al. (6,487,583) as applied to claim 1 above, and further in view of McLaughlin et al. (6,272,386).

36. As per claims 12, 34, 69, and 78, Harvey et al. teaches the mentioned limitations of claims 1, 20, 61, and 70 above but fails to teach a peer-to-peer network environment, wherein a plurality of peer groups members of said peer group are configured to provide redundant instances of said network service or content to said peer group, wherein a member of said peer group can access said network service or content from any of said plurality of peer groups members providing one of the redundant instances of said network service or content. However, McLaughlin et al. teaches a peer-to-peer network environment, wherein a plurality of peer groups members of said peer group are configured to provide redundant instances of said network service or content to said peer group, wherein a member of said peer group can access said network service or content from any of said plurality of peer groups members providing one of the redundant instances of said network service or content (see McLaughlin et al. column 9,

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lines 26-39). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Harvey et al. to a peer-to-peer network environment, wherein a plurality of peer groups members of said peer group are configured to provide redundant instances of said network service or content to said peer group, wherein a member of said peer group can access said network service or content from any of said plurality of peer groups members providing one of the redundant instances of said network service or content in order to increase the overall reliability of process facility (see McLaughlin et al. column 9, lines 13-25).

37. As per claims 13, 36, and 79, Harvey et al. teaches the mentioned limitations of claims 1, 12, 20, 35, 70, and 78 above but fails to teach a peer-to-peer network environment, wherein said plurality of peer groups members providing redundant instances of said network service or content are configured to provide a fail-over mechanism wherein if one of the peers providing said network service or content fails or leaves said peer group, said network service or content may be obtained from another one of the peers providing said network service or content. However, McLaughlin et al. teaches a peer-to-peer network environment, wherein said plurality of peer groups members providing redundant instances of said network service or content are configured to provide a fail-over mechanism wherein if one of the peers providing said network service or content fails or leaves said peer group, said network service or content may be obtained from another one of the peers providing said network service or content (see McLaughlin et al. column 10, lines 37-51). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Harvey et al. to

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a peer-to-peer network environment, wherein said plurality of peer groups members providing redundant instances of said network service or content are configured to provide a fail-over mechanism wherein if one of the peers providing said network service or content fails or leaves said peer group, said network service or content may be obtained from another one of the peers providing said network service or content in order to switch a secondary process controller into an "active" primary state with minimal control disruption for improved control systems (see McLaughlin et al. column 3, lines 14-25).

38. As per claims 14, 15, and 35, Harvey et al. teaches the mentioned limitations of claims 1, 12, and 20 above but fails to teach a peer-to-peer network environment, wherein said plurality of peer groups members providing redundant instances of said network service or content support a pipe binding protocol for establishing a communication pipe to access said network service or content, wherein a member of said peer group can access said network service or content by connecting to a pipe to one of the redundant instances of said network service or content. However, McLaughlin et al. teaches a peer-to-peer network environment, wherein said plurality of peer groups members providing redundant instances of said network service or content support a pipe binding protocol for establishing a communication pipe to access said network service or content, wherein a member of said peer group can access said network service or content by connecting to a pipe to one of the redundant instances of said network service or content (see McLaughlin et al. column 9, lines 26-39). It would have been obvious to one having ordinary skill in the art at the time of the invention to

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modify Harvey et al. to a peer-to-peer network environment, wherein said plurality of peer groups members providing redundant instances of said network service or content support a pipe binding protocol for establishing a communication pipe to access said network service or content, wherein a member of said peer group can access said network service or content by connecting to a pipe to one of the redundant instances of said network service or content in order to detect the failure in subscriber primary process controller and initiate a "fail-over" operation (see McLaughlin et al. column 12, lines 1-6).

39. Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harvey et al. (6,487,583) as applied to claim 1 above, and further in view of Lang et al. (5,867,799).

40. As per claim 16, Harvey et al. teaches the mentioned limitations of claim 1 above but fails to teach a peer-to-peer network environment, wherein said plurality of peer groups comprises a nested peer group within said peer group, wherein all members of said nested peer group belong to said peer group, but not all members of said peer group belong to said nested peer group. However, Lang et al. teaches a peer-to-peer network environment, wherein said plurality of peer groups comprises a nested peer group within said peer group, wherein all members of said nested peer group belong to said peer group, but not all members of said peer group belong to said nested peer group (see Lang et al. column 27, lines 44-65). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Harvey et al. to a

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peer-to-peer network environment, wherein said plurality of peer groups comprises a nested peer group within said peer group, wherein all members of said nested peer group belong to said peer group, but not all members of said peer group belong to said nested peer group in order to allow users to be broken into distributed groups in a purely hierarchical, parallel or a combination of both (see Lang et al. column 27, lines 25-43).

41. As per claim 17, Harvey et al. teaches the mentioned limitations of claims 1 and 16 above but fails to teach a peer-to-peer network environment, wherein said common set of services available to members of said nested peer group includes at least all of said common set of services available to members of said peer group. However, Lang et al. teaches a peer-to-peer network environment, wherein said common set of services available to members of said nested peer group includes at least all of said common set of services available to members of said peer group (see Lang et al. column 7, lines 32-54). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Harvey et al. to a peer-to-peer network environment, wherein said common set of services available to members of said nested peer group includes at least all of said common set of services available to members of said peer group in order to group member clients to form a plurality of communities, each community including selected clients of the plurality of member clients, selected client attributes of the selected clients being comparable to others of the selected clients thereby providing each community with a community profile having common client attributes (see Lang et al. column 5, lines 14-38).

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42. As per claim 18, Harvey et al. teaches the mentioned limitations of claims 1 and 16 above but fails to teach a peer-to-peer network environment, wherein said network service or content shared within said peer group is also accessible within said nested peer group, wherein said nested peer group is configured to share an additional network service or content available only within said nested peer group and not to members of said peer group that do not also belong to said nested peer group. However, Lang et al. teaches a peer-to-peer network environment, wherein said network service or content shared within said peer group is also accessible within said nested peer group, wherein said nested peer group is configured to share an additional network service or content available only within said nested peer group and not to members of said peer group that do not also belong to said nested peer group (see Lang et al. column 8, lines 13-42). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Harvey et al. to a peer-to-peer network environment, wherein said network service or content shared within said peer group is also accessible within said nested peer group, wherein said nested peer group is configured to share an additional network service or content available only within said nested peer group and not to members of said peer group that do not also belong to said nested peer group in order to implement adaptive credibility filtering, providing member clients with a measure of informon credibility as judged by other member clients in the community (see Lang et al. column 8, lines 43-61).

43. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Harvey et al. (6,487,583) and McLaughlin et al. (6,272,386) as applied to claims 20 and 35 above, and further in view of Lowery et al. (2002/0107935). Harvey et al. and McLaughlin et al. teach the mentioned limitations of claims 20 and 35 above but fail to teach a peer node wherein, if the peer node is moved from a first physical location to a second physical location, the program instructions are further executable to rebind said communication pipe from an endpoint located at the first network location to the second network location. However, Lowery et al. teaches a peer node wherein, if the peer node is moved from a first physical location to a second physical location, the program instructions are further executable to rebind said communication pipe from an endpoint located at the first network location to the second network location (see Lowery et al. paragraph 0093). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Harvey et al. and McLaughlin et al. to a peer node wherein, if the peer node is moved from a first physical location to a second physical location, the program instructions are further executable to rebind said communication pipe from an endpoint located at the first network location to the second network location in order for the dynamic cache application to select a community which has the lowest latency from the client (see Lowery et al. paragraph 0096).


Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ranodhi Serrao whose telephone number is (571)272-7967. The examiner can normally be reached on 8:00-4:30pm, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571)272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER